

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 TAMIKO GARRIS-RIVERS,

PLAINTIFF,

5 -against-

Case No.:
13CV9034

6
7 THE CITY OF NEW YORK, ET AL,

8 DEFENDANTS.

9
10 DATE: October 27, 2014

11 TIME: 11:10 A.M.

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14 DEPOSITION of the Defendant,

15 ROBERT RAU, taken by the Plaintiff,

16 pursuant to a Court Order and to the

17 Federal Rules of Civil Procedure, held at

18 the offices of Diamond Reporting, Inc.,

19 1001 Avenue of the Americas, New York, New

20 York 10018, before BREINDY LOWENSTEIN, a

21 Notary Public of the State of New York.

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2 A P P E A R A N C E S:

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4 STECKLOW, COHEN & THOMPSON, ESQS.

Attorneys for the Plaintiff

5 TAMIKO GARRIS-RIVERS

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6 New York, New York 10013

BY: DAVID THOMPSON, ESQ.

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THE CITY OF NEW YORK, ET AL

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11 BY: ANDREW K. PRESTON, ESQ.

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1 R. RAU

2 are referring to?

3 A. I would say from where we were
4 to at least the waiting area maybe 30 feet
5 or more, 40 feet.

6 Q. Can you describe the position
7 on the Platform D where this took place.

8 A. We were on the west end down by
9 the west end staircase on the platform
10 which is toward the rear of the train and
11 the waiting area is placed in middle of the
12 platform.

13 Q. The waiting area is somewhat to
14 the east of the west end staircase?

15 A. Yeah, it is. It's in middle of
16 the east end staircase and the west end
17 right in middle of the platform.

18 Q. How far is it from the west end
19 staircase to the waiting area
20 approximately?

21 A. Around 30, 40 feet.

22 Q. What was it that the people on
23 the platform were doing that made you
24 believe they were surprised or alarmed?

25 A. They stopped and turned. Saw

1 R. RAU

2 people mutter to one another. Basically a
3 crowd almost gathering.

4 Q. Did people come closer to look?

5 A. Not necessarily, but they are
6 definitely paying attention to what you are
7 doing now and what's going on, who you are
8 dealing with.

9 Q. Who was it that placed the
10 handcuffs on the Plaintiff?

11 A. I did.

12 Q. What kind of cuffs did you use?

13 A. Hiatt department issued cuffs.

14 Q. How do you spell Hiatt?

15 A. H-I-A-T-T.

16 Q. These are metal handcuffs?

17 A. Right.

18 Q. Did anyone assist you with
19 placing the handcuffs on the Plaintiff?

20 A. No. I did it on my own.

21 Q. Did you have any difficulty in
22 doing that?

23 A. No. She complied.

24 Q. Was she cuffed in front or in
25 back?